

THE LAW OFFICES OF

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Tuesday, September 26, 2023

VIA ECF

Honorable Judge Robert M. Levy
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

RE: Nicolas v. buildOn et. al.
22-CV-4803(ENV)(RML)

Dear Honorable Judge Levy:

I am writing in response to Mrs. Nicolas's correspondence to the Court this morning. As the Court is aware, I have submitted both a motion to withdraw as counsel for Plaintiff and notice of a charging lien in this matter. Mrs. Nicolas has been on notice of my intent to withdraw and of the charging lien since July 27, 2023. Mrs. Nicolas responded to my text and email communications at her provided email and via text until August 9, 2023, which was when I first put her on notice of the charging lien **(Exhibit 1: Charging Lien Correspondence and Exhibit 2: Charging Lien Email and withdrawal)** In the wake of my notification to Mrs. Nicolas of the lien and withdrawal, Mrs. Nicolas began to ignore my texts and emails. I sent three additional emails to Mrs. Nicolas regarding my withdrawal and the charging lien, all of which she ignored. **(Exhibit 3: Fourth Email to Nicolas)** Opposing counsel however, acknowledged receipt of the lien on the same day.

At 1:39pm, on August 29, 2023, the Court ordered that I notify Mrs. Nicolas about the October 3, 2023 conference. I complied with the Court's order via email at 8:09pm on August 29, 2023. **(Exhibit 4: August 29, 2023 Email to Nicolas)** Again Mrs. Nicolas ignored that email. On August 31, 2023, I then FedExed Mrs. Nicolas per the Court's Order and the parcel was delivered on September 2, 2023.**(Exhibit 5: Correspondence to Mrs. Nicolas and Proof of Service)**

In closing, at the Court's earliest convenience, I am respectfully requesting a date to resolve my withdrawal and charging lien on this matter. It is clear now that Mrs. Nicolas has access to the docket on pacer again, and that she is on notice of the lien and of my intent to withdraw.

Respectfully submitted,

/s/

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